

1 THOMAS F. LANDERS [SBN 207335]  
tlanders@swsslaw.com  
2 SOLOMON WARD SEIDENWURM & SMITH, LLP  
401 B Street, Suite 1200  
3 San Diego, California 92101  
(t) 619.231.0303  
4 (f) 619.231.4755  
5 Attorneys for Defendant,  
OCMBC, INC., dba LOANSTREAM  
6 MORTGAGE  
7

8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA – SOUTHERN DIVISION**  
10

11 KIMBERLY HUDSON-BRYANT,  
individually and on behalf of all others  
12 similarly situated,

13 Plaintiffs,

14 v.  
15

16 OCMBC, INC., dba LOANSTREAM,

17 Defendant.  
18  
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20  
21  
22  
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26  
27  
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Case No. 8:24-cv-00067-FWS-JDE

**DECLARATION OF THOMAS OF  
LANDERS IN SUPPORT OF  
DEFENDANT OCMBC, INC.'S  
STATEMENT IN RESPONSE TO  
PLAINTIFF'S MOTION FOR  
LEAVE TO FILE AMENDED  
COMPLAINT**

Date: September 19, 2024

Time: 10:00 a.m.

Judge: Hon. Fred W. Slaughter

Courtroom: 10D

Magistrate Judge: John D. Early

1 I, Thomas F. Landers, declare:

2 1. I am an attorney at law licensed to practice before all federal and state  
3 courts in the State of California and a partner with Solomon Ward Seidenwurm &  
4 Smith, LLP (“SWSS”), counsel for Defendant OCMBC, INC. dba LOANSTREAM  
5 (“Defendant”). I have personal knowledge of the facts set forth in this declaration. I  
6 submit this declaration in support of Defendant OCMBC, Inc.’s Statement in  
7 Response to Plaintiff’s Motion for Leave to File Amended Complaint (“Motion”).

8 2. On August 7, 2024, at 12:48 p.m. Plaintiff’s *pro hac vice* counsel first  
9 raised the issue of filing a first amended complaint (“FAC”) via e-mail to me.  
10 Counsel’s initial e-mail attached a copy of the proposed FAC, but it did not include  
11 any red lines. A true and correct copy of this email – with redactions of unrelated  
12 commentary and omitting the lengthy attachments – is attached as **Exhibit A**.  
13 August 7, 2024 was my 20<sup>th</sup> wedding anniversary, and I did not work the full day.

14 3. On August 8, 2024, I emailed Plaintiff’s counsel requesting a red line  
15 version to facilitate review of the proposed new and changed allegations. A true and  
16 correct copy of this email – with redactions of unrelated commentary – is attached as  
17 **Exhibit B**.

18 4. On August 8, 2024, at 5:45 p.m. Plaintiff’s counsel provided a red line  
19 version of the FAC via e-mail. A true and correct copy of this email is attached as  
20 **Exhibit C**. I promptly notified Defendant’s management team of the request for a  
21 stipulation to file the FAC.

22 5. On August 14, 2024, Plaintiff’s counsel emailed me asking whether  
23 Defendant would stipulate. I responded that I had sent the proposed FAC to  
24 Defendant’s management team and “I do not yet know if my client will be willing to  
25 stipulate to such an incendiary filing.” A true and correct copy of these emails – with  
26 redactions of unrelated commentary – are attached as **Exhibit D**.

27 ///

28 ///



**CERTIFICATE OF SERVICE**

I hereby certify that on this 29<sup>th</sup> day of August, 2024, I electronically filed the foregoing **DECLARATION OF THOMAS F. LANDERS IN SUPPORT OF DEFENDANT OCMBC, INC.'S STATEMENT IN RESPONSE TO PLAINTIFF'S MOTION FOR LEAVE TO FILE AMENDED COMPLAINT** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Dana Oliver Counsel for Plaintiff  
OLIVER LAW CENTER, INC.  
[dana@danaoliverlaw.com](mailto:dana@danaoliverlaw.com)

Anthony I. Paronich Pro Hac Vice Counsel for  
PARONICH LAW PC Plaintiff  
[anthony@paronichlaw.com](mailto:anthony@paronichlaw.com)

Andrew R Perrong Pro Hac Vice Counsel for  
PERRONG LAW LLC Plaintiff

/s/ Woody Doolittle  
Woody Doolittle

# **EXHIBIT A**

**Woody L. Doolittle**

---

**From:** Anthony Paronich <anthony@paronichlaw.com>  
**Sent:** Wednesday, August 7, 2024 12:48 PM  
**To:** Thomas F. Landers  
**Cc:** Andrew Perrong; Woody L. Doolittle  
**Subject:** Re: Kimberly Hudson-Bryant v. OCMBC Inc.  
**Attachments:** Bryant Loan Stream Proposed Amended Complaint -- 8.7.24.docx; Second Set of Discovery -- 8.7.24.docx; Second Set of Discovery -- 8.7.24.pdf

Counsel:



Finally, a proposed Amended Complaint is attached. Please advise if your client will stipulate to it's filing, as it adds another defendant.

----

Anthony Paronich  
Paronich Law, P.C.  
350 Lincoln Street, Suite 2400  
Hingham, MA 02043  
[o] (617) 485-0018  
[c] (508) 221-1510  
[f] (508) 318-8100

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# **EXHIBIT B**

## Woody L. Doolittle

---

**From:** Thomas F. Landers  
**Sent:** Thursday, August 8, 2024 5:35 PM  
**To:** Anthony Paronich  
**Cc:** Andrew Perrong; Woody L. Doolittle  
**Subject:** RE: Kimberly Hudson-Bryant v. OCMBC Inc.

Counsel:

Can you send me either a redline version of the FAC, or a Word version of the original complaint, and we'll create a redline version?

Thank you.

Thomas F. Landers | Partner  
**Solomon Ward Seidenwurm & Smith LLP**  
401 B Street Suite 1200 | San Diego, CA 92101  
o 619.231.0303 | d 619.238.4812  
tlanders@swsslaw.com | www.swsslaw.com | v-card

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**From:** Anthony Paronich <anthony@paronichlaw.com>  
**Sent:** Wednesday, August 7, 2024 12:48 PM  
**To:** Thomas F. Landers <tlanders@swsslaw.com>  
**Cc:** Andrew Perrong <a@perronglaw.com>; Woody L. Doolittle <wdoolittle@swsslaw.com>  
**Subject:** Re: Kimberly Hudson-Bryant v. OCMBC Inc.

Counsel:

Finally, a proposed Amended Complaint is attached. Please advise if your client will stipulate to it's filing, as it adds another defendant.

-----  
Anthony Paronich  
Paronich Law, P.C.  
350 Lincoln Street, Suite 2400  
Hingham, MA 02043  
[o] (617) 485-0018  
[c] (508) 221-1510  
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# **EXHIBIT C**

**Woody L. Doolittle**

---

**From:** Andrew Perrong <a@perronglaw.com>  
**Sent:** Thursday, August 8, 2024 5:45 PM  
**To:** Thomas F. Landers  
**Cc:** Anthony Paronich; Woody L. Doolittle  
**Subject:** Re: Kimberly Hudson-Bryant v. OCMBC Inc.  
**Attachments:** Bryant Loan Stream Proposed Amended Complaint with Redlines.docx

Please see attached.

On Thu, Aug 8, 2024 at 8:35 PM Thomas F. Landers <[tlanders@swsslaw.com](mailto:tlanders@swsslaw.com)> wrote:

Counsel:

Can you send me either a redline version of the FAC, or a Word version of the original complaint, and we'll create a redline version?

Thank you.

Thomas F. Landers | Partner

**Solomon Ward Seidenwurm & Smith LLP**

401 B Street Suite 1200 | San Diego, CA 92101

o 619.231.0303 | d 619.238.4812

[tlanders@swsslaw.com](mailto:tlanders@swsslaw.com) | [www.swsslaw.com](http://www.swsslaw.com) | v-card

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---

**From:** Anthony Paronich <[anthony@paronichlaw.com](mailto:anthony@paronichlaw.com)>  
**Sent:** Wednesday, August 7, 2024 12:48 PM  
**To:** Thomas F. Landers <[tlanders@swsslaw.com](mailto:tlanders@swsslaw.com)>  
**Cc:** Andrew Perrong <[a@perronglaw.com](mailto:a@perronglaw.com)>; Woody L. Doolittle <[wdoolittle@swsslaw.com](mailto:wdoolittle@swsslaw.com)>  
**Subject:** Re: Kimberly Hudson-Bryant v. OCMBC Inc.


# **EXHIBIT D**

## Woody L. Doolittle

---

**From:** Thomas F. Landers  
**Sent:** Wednesday, August 14, 2024 9:54 AM  
**To:** Anthony Paronich  
**Cc:** Andrew Perrong; Woody L. Doolittle  
**Subject:** RE: Kimberly Hudson-Bryant v. OCMBC Inc.

Counsel:



I also sent the management team the proposed first amended complaint. It was not initially well received, including because the new allegations against my client are false and appear to be a gross distortion of the February 2022 email produced by Elizabeth Stone. I do not yet know if my client will be willing to stipulate to such an incendiary filing. You appear to acknowledge that my client itself did not make the alleged calls, and that the party responsible for any alleged calling campaign was this Sean Roberts. You may want to consider dismissing my client and pursuing your claims against Mr. Roberts.

Thomas F. Landers | Partner  
**Solomon Ward Seidenwurm & Smith LLP**  
401 B Street Suite 1200 | San Diego, CA 92101  
o 619.231.0303 | d 619.238.4812  
tlanders@swsslaw.com | www.swsslaw.com | v-card

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**From:** Anthony Paronich <anthony@paronichlaw.com>  
**Sent:** Wednesday, August 14, 2024 7:36 AM  
**To:** Thomas F. Landers <tlanders@swsslaw.com>  
**Cc:** Andrew Perrong <a@perronglaw.com>; Woody L. Doolittle <wdoolittle@swsslaw.com>  
**Subject:** Re: Kimberly Hudson-Bryant v. OCMBC Inc.

Counsel:

Can you please provide a response?

Regards,

---

Anthony Paronich  
Paronich Law, P.C.  
350 Lincoln Street, Suite 2400  
Hingham, MA 02043  
[o] (617) 485-0018  
[c] (508) 221-1510  
[f] (508) 318-8100

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On Wed, Aug 7, 2024 at 3:47 PM Anthony Paronich <[anthony@paronichlaw.com](mailto:anthony@paronichlaw.com)> wrote:

Counsel:



Finally, a proposed Amended Complaint is attached. Please advise if your client will stipulate to it's filing, as it adds another defendant.

-----  
Anthony Paronich

Paronich Law, P.C.

350 Lincoln Street, Suite 2400

Hingham, MA 02043

[o] (617) 485-0018

[c] (508) 221-1510

[f] (508) 318-8100

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# **EXHIBIT E**

**Woody L. Doolittle**

---

**From:** Thomas F. Landers  
**Sent:** Friday, August 16, 2024 3:20 PM  
**To:** Anthony Paronich  
**Cc:** Andrew Perrong; Woody L. Doolittle  
**Subject:** RE: Kimberly Hudson-Bryant v. OCMBC Inc.  
**Attachments:** 2024-08-16 Hudson-Bryant - Def OCMBC Resp to ROGS 1 from Plf (01752765xB5E99).PDF;  
2024-08-16 Hudson-Bryant - Def OCMBC Resp to RFP 1 from Plf (01752890xB5E99).PDF

Counsel:



Attached are my client's discovery responses stating under oath that it had nothing to do with whatever this Sean Roberts was engaged in. If, despite these responses, you still want to assert the allegations in your proposed first amended complaint, my client will stipulate that leave be granted to amend. For the avoidance of doubt, my client denies the amended allegations against it, and believes they are being brought without evidentiary support and contrary to Rule 11(b)(3). You may want to consider adding appropriate conditional language to the new allegations against my client. My client reserves all rights, remedies and defenses. Please forward an appropriate stipulation for our review.

Thomas F. Landers | Partner

**Solomon Ward Seidenwurm & Smith LLP**

401 B Street Suite 1200 | San Diego, CA 92101

o 619.231.0303 | d 619.238.4812

tlanders@swsslaw.com | www.swsslaw.com | v-card

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---

**From:** Anthony Paronich <anthony@paronichlaw.com>

**Sent:** Wednesday, August 14, 2024 1:32 PM

**To:** Thomas F. Landers <tlanders@swsslaw.com>

**Cc:** Andrew Perrong <a@perronglaw.com>; Woody L. Doolittle <wdoolittle@swsslaw.com>

**Subject:** Re: Kimberly Hudson-Bryant v. OCMBC Inc.

Counsel:

We have produced all documents. We are quoting our subpoena Schedule A to which she produced the responsive call records.

----

Anthony Paronich

Paronich Law, P.C.

# **EXHIBIT F**



**Woody L. Doolittle**

---

**From:** Thomas F. Landers  
**Sent:** Friday, August 23, 2024 4:10 PM  
**To:** Anthony Paronich  
**Cc:** Andrew Perrong; Woody L. Doolittle  
**Subject:** Re: Kimberly Hudson-Bryant v. OCMBC Inc.

Counsel

My client's response to discovery is unrelated to your decision to file an amended complaint and your deadline to do so. You know that.

But, you've made your position clear.

Thomas F. Landers, Esq.  
(t) 619-238-4812  
(f) 619-615-7912

Sent from my iPhone

On Aug 23, 2024, at 15:57, Anthony Paronich <anthony@paronichlaw.com> wrote:

Counsel:

We feel like we've acted appropriately given our schedule and the amount of time your client took to respond to discovery. We have no problem with this email thread being presented to the Court, so please proceed as you deem appropriate. We've filed a motion and it appears that you don't have an opposition, so the motion should be granted.

Anthony

On Aug 23, 2024, at 6:41 PM, Thomas F. Landers <tlanders@swsslaw.com> wrote:

Counsel:

You may want to reconsider your position. First, you did not properly meet and confer pursuant to the local rules, which is grounds for denying your motion. Second, I did not reject your request for a stipulation. I told you I was discussing it with my client and that my client was upset at the false allegations against it. But I specifically told you that I did not know my client's position yet. Rather than waiting for me to get back to you, as required for a proper meet and confer, you preemptively filed your motion – long

before any deadline to do so. And, I got back to you before your deadline to file. Finally, the court will appreciate us to resolve this issue without its involvement.

The decision is yours. I know what I would do in your position, and I know what the court would appreciate, but if you insist on the court deciding your motion, you will force my hand in bringing all of the above to the court's attention as an explanation for why this was not resolved via stipulation.

Thomas F. Landers | Partner  
**Solomon Ward Seidenwurm & Smith LLP**  
401 B Street Suite 1200 | San Diego, CA 92101  
o 619.231.0303 | d 619.238.4812  
tlanders@swsslaw.com | [www.swsslaw.com](http://www.swsslaw.com) | v-card

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**From:** Anthony Paronich <[anthony@paronichlaw.com](mailto:anthony@paronichlaw.com)>  
**Sent:** Friday, August 23, 2024 3:33 PM  
**To:** Thomas F. Landers <[tlanders@swsslaw.com](mailto:tlanders@swsslaw.com)>  
**Cc:** Andrew Perrong <[a@perronglaw.com](mailto:a@perronglaw.com)>; Woody L. Doolittle <[wdoolittle@swsslaw.com](mailto:wdoolittle@swsslaw.com)>  
**Subject:** Re: Kimberly Hudson-Bryant v. OCMBC Inc.

Counsel:

Despite us previously sending you the amended complaint, we had to file a motion to amend. So, at this point, we believe the appropriate course is you filing and notice of non-opposition and the Court ruling on the pending motion.

Anthony

On Aug 23, 2024, at 6:13 PM, Thomas F. Landers  
<[tlanders@swsslaw.com](mailto:tlanders@swsslaw.com)> wrote:

Counsel:

I'm following up on my below email, and specifically the stipulation for leave to amend.

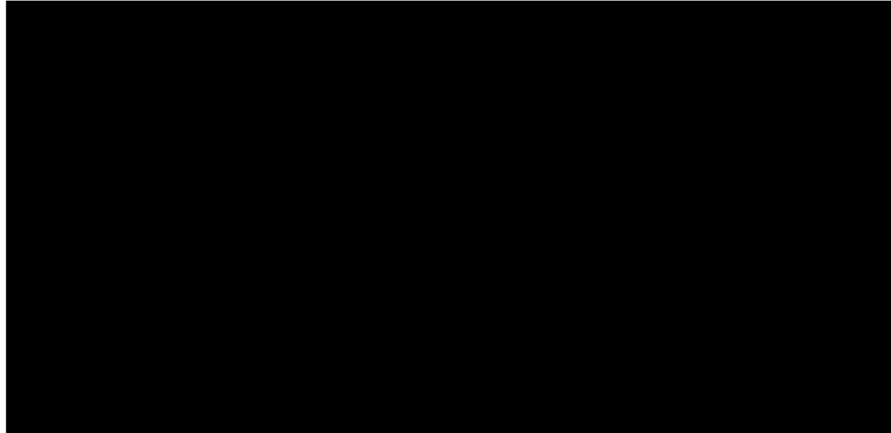
Thomas F. Landers | Partner  
**Solomon Ward Seidenwurm & Smith LLP**  
401 B Street Suite 1200 | San Diego, CA 92101  
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[tlanders@swsslaw.com](mailto:tlanders@swsslaw.com) | [www.swsslaw.com](http://www.swsslaw.com) | v-card

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**From:** Thomas F. Landers  
**Sent:** Friday, August 16, 2024 3:20 PM  
**To:** Anthony Paronich <[anthony@paronichlaw.com](mailto:anthony@paronichlaw.com)>

**Cc:** Andrew Perrong <[a@perronglaw.com](mailto:a@perronglaw.com)>; Woody L. Doolittle <[wdoolittle@swsslaw.com](mailto:wdoolittle@swsslaw.com)>  
**Subject:** RE: Kimberly Hudson-Bryant v. OCMBC Inc.

Counsel:



Attached are my client's discovery responses stating under oath that it had nothing to do with whatever this Sean Roberts was engaged in. If, despite these responses, you still want to assert the allegations in your proposed first amended complaint, my client will stipulate that leave be granted to amend. For the avoidance of doubt, my client denies the amended allegations against it, and believes they are being brought without evidentiary support and contrary to Rule 11(b)(3). You may want to consider adding appropriate conditional language to the new allegations against my client. My client reserves all rights, remedies and defenses. Please forward an appropriate stipulation for our review.

Thomas F. Landers | Partner  
**Solomon Ward Seidenwurm & Smith LLP**  
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